

1 | **CANDIS MITCHELL**
California Bar No. 242797
2 | **FEDERAL DEFENDERS OF SAN DIEGO, INC.**
225 Broadway, Suite 900
3 | San Diego, California 92101-5008
Telephone: (619) 234-8467
4 | Candis_Mitchell@fd.org

Attorneys for Mr. Jose Raymundo Contreras-Hernandez

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
(HONORABLE JOHN A. HOUSTON)

UNITED STATES OF AMERICA,) CASE NO. 07CR3190-JAH
Plaintiff,) DATE: February 19, 2008
v.) TIME: 8:30 a.m.
JOSE RAYMUNDO CONTRERAS-) NOTICE OF MOTIONS AND MOTIONS FOR AN
HERNANDEZ,) ORDER TO:
Defendant.) 1. DISMISS THE INDICTMENT DUE TO
) INVALID DEPORTATION.

TO: KAREN P. HEWITT, INTERIM UNITED STATES ATTORNEY, AND
PETER MAZZA, ASSISTANT UNITED STATES ATTORNEY:

PLEASE TAKE NOTICE that on the above-captioned date and time, or as soon thereafter as counsel may be heard, Jose Raymundo Contreras-Hernandez, by and through counsel, Candis Mitchell and Federal Defenders of San Diego, Inc., will ask this Court to enter an order granting the following motions.

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MOTIONS

Mr. Jose Raymundo Contreras-Hernandez, by and through counsel, Candis Mitchell, and Federal
Defenders of San Diego, Inc., pursuant to the United States Constitution, the Federal Rules of Criminal
Procedure, and all other applicable statutes, case law and local rules, hereby moves this Court for an order to:

1. Dismiss count the indictment due to invalid deportation.

These motions are based upon the instant motions and notice of motions, the attached statement of facts and memorandum of points and authorities, and all other materials that may come to this Court's attention at the time of the hearing on these motions.

Respectfully submitted,

Dated: February 5, 2008

s/ Candis Mitchell
CANDIS MITCHELL
Federal Defenders of San Diego, Inc.
Attorneys for Mr. Contreras-Hernandez
Candis_Mitchell@fd.org